



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,392	08/19/2003	Leonard T. Chapman	54767.8062.US00	6134
34055	7590	09/14/2005		
PERKINS COIE LLP POST OFFICE BOX 1208 SEATTLE, WA 98111-1208			EXAMINER NEGRON, ISMAEL	
			ART UNIT	PAPER NUMBER
			2875	
DATE MAILED: 09/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/644,392

Applicant(s)

CHAPMAN, LEONARD T.

Examiner

Ismael Negron

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-15 and 17-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 16 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date See continuation.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

Continuation of Attachment(s), Item 3: Information Disclosure Statements filed 3/22/2004, 7/16/2004, 1/28/2005, and 7/05/2005.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of the invention of Group I, claims 1-10 and 16, in the reply filed on July 21, 2005 is acknowledged.

### ***Response to Amendment***

2. Applicant's amendment filed on July 21, 2005 has been entered. Claims 1, 2, 7 and 11 have been amended. No claim has been cancelled, or added. Claims 11-15 and 17-20 have been withdrawn from consideration. Claims 1-10 and 16 are still pending in this application, with claims 1, 7 and 16 being independent.

### ***Title***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Flashlight **Having Dimmer and Shut-Off Timer.**

### ***Abstract***

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. The abstract of the disclosure is objected to because it fails to concisely state the subject matter of the invention. Correction is required. See MPEP § 608.01(b).

The Examiner respectfully suggests amending the abstract to read:

~~A flashlight has a lens moveable relative to an LED. The beam of light provided by the LED can be focused and provides a uniform light pattern across the range of focus. The lens is supported on having a front housing section and the LED is supported on , a back housing section threaded onto the front housing section, and an LED as a light source. Twisting the front housing section closes a switch providing power to the LED, to turn the flashlight on. A circuit module within the flashlight provides various operating modes including an automatic shut-off timer, to preserve battery life, and a dimmer controlled by turning an end cap, a blinking function, and/or a current control function to provide maximum brightness regardless of battery condition.~~

### ***Drawings***

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “28” has been used to designate both “*screw threads*” (paragraph 0056, line 3) and “*threaded back end*” (paragraph 0058, line 3). In addition, note the following:

reference character “20”, used to designate “*rear housing section*” (paragraph 0055, line 3) and “*rear housing*” (paragraph 0059, line 1);

Art Unit: 2875

- reference character “**50**”, used to designate “*LED*” (paragraph 0057, line 4) and “*lamp*” (paragraph 0060, line 1);
- reference character “**70**”, used to designate “*circuitry module*” (paragraph 0061, line 1), “*timer*” (paragraph 0073, line 4), and “*timer circuit*” (paragraph 0073, line 6);
- reference character “**214**”, used to designate “*rear housing section*” (paragraph 0074, line 10) and “*washer*” (paragraph 0074, line 14);
- reference character “**104**”, used to designate “*external threads*” (paragraph 0059, line 2) and “*screw threads*” (paragraph 0075, line 2);
- reference character “**104**”, used to designate “*internal threads*” (paragraph 0059, line 2) and “*screw threads*” (paragraph 0075, line 2);
- reference character “**338**”, used to designate “*land area*” (paragraph 0081, line 7) and “*base area*” (paragraph 0081, line 13); and
- reference character “**378**”, used to designate “*external threads*” (paragraph 0083, line 6) and “*spring retainer*” (paragraph 0083, line 10).

The applicant is advised that the reference characters must be properly applied, with no single reference character being used for two different parts or for a given part and a modification of such part. See MPEP §608.01(g).

Applicant is further advised that this action only exemplifies the objections to the drawings, applicant's cooperation is requested in correcting all the occurrences of the cited, or any other errors of which applicant may become aware in the specification.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

7. Claim 8 is objected to because of the following informalities: it recites the limitation "*the front and rear housings*" in line 2. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 9 is objected to because of the following informalities: it recites the limitation "*the rear housing*" in line 2. There is insufficient antecedent basis for this limitation in the claim.



9. Claim 10 is objected to because of the following informalities: it recites the limitation "*the rear housing*" in line 2. There is insufficient antecedent basis for this limitation in the claim.

10. The cited lack of antecedent instances do not amount to indefiniteness under 35 U.S.C. 112, second paragraph, since it is readily apparent that the claim is referring back to the previously recited front and/or rear housing sections (Claim 7). However, appropriate correction is required to place the claims in proper form for allowance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the LED" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2875

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by SPERLING (U.S. Pat. 5,138,538).

13. SPERLING discloses an illumination device having:

- **a housing (as recited in Claim 1), as seen in Figure 4;**
- **a light source (as recited in Claim 1), Figure 1B, reference number 3;**
- **the light source being supported by the housing (as recited in Claim 1), as seen in Figure 4;**
- **a current controller (as recited in Claim 1), Figure 1B, reference number 5;**
- **a first switch (as recited in Claim 1), Figure 1B, reference number 7;**
- **the first switch being connectable to a power source (as recited in Claim 1), as seen in Figure 1B;**
- **the first switch being electrically linked at least indirectly to the light source (as recited in Claim 1), as seen in Figure 1B;**

- **a second switch (as recited in Claim 1), Figure 1B, reference number 4;**
- **the second switch being for switching the current controller in and out of circuitry providing electrical power to the light source (as recited in Claim 1), as evidenced by Figure 1B;**
- **a circuitry module (as recited in Claim 4), Figure 1B, reference number 5;**
- **the module including a timer circuit (as recited in Claim 4), column 3, line 67;**
- **the timer circuit being for automatically turning off power to the light source after a selected interval of time (as recited in Claim 4), from column 3, line 67 to column 4, line 2;**
- **the current controller being switch out by the second switch (as recited in Claim 4), as evidenced by Figure 1B;**
- **the second switch providing full power to the light source regardless of the position of the first switch (as recited in Claim 5), as evidenced by Figure 1B.**

14. Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by CHUN (U.S. Pat. 6,793,366).

Art Unit: 2875

15. CHUN discloses an illumination device having:

- **a housing (as recited in Claim 1), Figure 1, reference number 10;**
- **a light source (as recited in Claim 1), Figure 1, reference number 65;**
- **the light source being supported by the housing (as recited in Claim 1), as seen in Figure 1;**
- **a current controller (as recited in Claim 1), as seen in Figure 16;**
- **a first switch (as recited in Claim 1), Figure 1, reference number 34;**
- **the first switch being connectable to a power source (as recited in Claim 1), as evidenced by column 2, lines 62;**
- **the first switch being electrically linked at least indirectly to the light source (as recited in Claim 1), as evidenced by column 2, line 62;**
- **a second switch (as recited in Claim 1), Figure 1, reference number 40;**
- **the second switch being for switching the current controller in and out of circuitry providing electrical power to the light source (as recited in Claim 1), as evidenced by Figure 16;**
- **the housing including a front housing section (as recited in Claim 2), Figure 1, reference number 28;**

- **a rear housing section (as recited in Claim 2), Figure 1, reference number 12;**
- **the front housing section being attached to the rear housing section (as recited in Claim 2), as seen in Figure 1;**
- **the second switch including a push button (as recited in Claim 2), Figure 1, reference number 40;**
- **the second switch being located in the rear housing section (as recited in Claim 2), as seen in Figure 1;**
- **the push button being spring biased into the open position (as recited in Claim 6), as evidenced by Figure 16.**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over CHUN (U.S. Pat. 6,793,366).

Art Unit: 2875

17. CHUN discloses an illumination device having:

- **a housing (as recited in Claim 1), Figure 1, reference number 10;**
- **a light source (as recited in Claim 1), Figure 1, reference number 65;**
- **the light source being supported by the housing (as recited in Claim 1), as seen in Figure 1;**
- **a current controller (as recited in Claim 1), as seen in Figure 16;**
- **a first switch (as recited in Claim 1), Figure 1, reference number 34;**
- **the first switch being connectable to a power source (as recited in Claim 1), as evidenced by column 2, lines 62;**
- **the first switch being electrically linked at least indirectly to the light source (as recited in Claim 1), as evidenced by column 2, line 62;**
- **a second switch (as recited in Claim 1), Figure 1, reference number 40;**
- **the second switch being for switching the current controller in and out of circuitry providing electrical power to the light source (as recited in Claim 1), as evidenced by Figure 16;**
- **the housing including a front housing section (as recited in Claim 2), Figure 1, reference number 28;**

- **a rear housing section (as recited in Claim 2), Figure 1, reference number 12;**
- **the front housing section being attached to the rear housing section (as recited in Claim 2), as seen in Figure 1;**
- **the second switch including a push button (as recited in Claim 2), Figure 1, reference number 40; and**
- **the second switch being located in the rear housing section (as recited in Claim 2), as seen in Figure 1.**

18. CHUN discloses all the limitations of the claims, except:

- an end cap (as recited in Claim 3);
- the end cap being located on the rear housing section (as recited in Claim 3);
- the end cap including a groove (as recited in Claim 3);
- the push button including a shoulder (as recited in Claim 3); and
- the shoulder being engageable with the groove for holding the second switch in a closed position (as recited in Claim 3).

19. It would have been an obvious matter of design choice to use the claimed second switch structure, since the applicant has not disclosed that such structure solves any problem or is for a particular reason. It appears that the claimed invention would perform equally well with the switch as disclosed by CHUN. In addition, the Examiner takes Official Notice that switch structures having push button operators with shoulder

engageable with groove for holding the switch in a closed position are old and well known in the art. Using such old and well known switch structures would have flown naturally to one of ordinary skill in the art as determined by the specific requirements of a particular application.

20. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over MELE (U.S. Pat. App. Pub. 2002/0093818) in view of McDERMOTT (U.S. Pat. 4,947,291).

21. MELE discloses an illumination device having:

- **a front housing section (as recited in Claim 7),** Figure 6, reference number 16;
- **a rear housing section (as recited in Claim 7),** Figure 6, reference number 14;
- **the rear housing section being attached to the front section (as recited in Claim 7),** as seen in Figure 6;
- **a switch (as recited in Claim 7),** paragraph 20, lines 25 and 26;
- **the switch being actuated by turning the front section relative to the rear section (as recited in Claim 7),** paragraph 20, lines 17-26;
- **a light source (as recited in Claim 7),** Figure 6, reference number 68;



- **the light source being supported on one of the front and rear sections (as recited in Claim 7), as seen in Figure 6;**
- **the electrical connections being made through wires (as recited in Claim 8), Figure 6, reference number 48; and**
- **no electrical connections being made through the front or rear sections (as recited in Claim 8), as evidenced by paragraph 12, lines 3 and 4.**

22. MELE discloses all the limitations of the claims, except:

- a circuitry module (as recited in Claim 7);
- the circuitry module including a dimmer (as recited in Claim 7);
- a knob (as recited in Claim 7);
- the knob being located on the rear section (as recited in Claim 7);
- the knob being linked to the dimmer (as recited in Claim 7); and
- the knob controlling the brightness of the light source via the dimmer (as recited in Claim 7).

23. McDERMOTT discloses an illumination device having:

- **a housing (as recited in Claim 7), Figure 7, reference number 34;**
- **a switch (as recited in Claim 7), Figure 7, reference number 35;**
- **a light source (as recited in Claim 7), Figure 7, reference number 37;**

- **a circuitry module (as recited in Claim 7), Figure 7, reference number 35;**
- **the circuitry module including a dimmer (as recited in Claim 7), column 6, line 64;**
- **a knob (as recited in Claim 7), as seen in Figure 7;**
- **the knob being located on a rear portion of the housing (as recited in Claim 7), as seen in Figure 7;**
- **the knob being linked to the dimmer (as recited in Claim 7), as evidenced by column 6, lines 30-32; and**
- **the knob controlling the brightness of the light source via the dimmer (as recited in Claim 7), as evidenced by column 6, lines 30-32.**

24. It would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to include the dimmer circuitry of McDERMOTT in the illumination device of MELE to be able to adjust the intensity of the light sources, as per the teachings of McDERMOTT.

25. Claims 7, 9, 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over MAGLICA (U.S. Pat. 4,577,263) in view of McDERMOTT (U.S. Pat. 4,947,291).

Art Unit: 2875

26. MAGLICA discloses an illumination device having:

- **a housing (as recited in claims 7 and 16), Figure 2, reference number 20;**
- **a front housing section (as recited in claims 7 and 16), Figure 2, reference number 23;**
- **a rear housing section (as recited in claims 7 and 16), Figure 2, reference number 21;**
- **the rear housing section being attached to the front section (as recited in Claim 7), as seen in Figure 2;**
- **a switch (as recited in Claim 7), as evidenced by column 6, lines 53-60;**
- **the switch being actuated by turning the front section relative to the rear section (as recited in Claim 7), as evidenced by column 6, lines 53-60;**
- **a light source (as recited in claims 7 and 16), Figure 2, reference number 45;**
- **the light source being supported on one of the front and rear sections (as recited in Claim 7), as seen in Figure 2;**
- **an end cap (as recited in Claim 9), Figure 2, reference number 22;**
- **the rear housing including screw threads (as recited in Claim 9), Figure 2, reference number 32;**

- **the end cap being engaged to the screw threads on the rear section (as recited in Claim 9), column 3, lines 41-44;**
- **the end cap being sealed against the rear section, column 3, lines 44-47;**
- **the end cap being rotatable to change the batteries (as recited in Claim 9), as evidenced by Figure 2; and**
- **the light source being adjacent the front end (as recited in Claim 16), as seen in Figure 2.**

27. MAGLICA discloses all the limitations of the claims, except:

- a circuitry module (as recited in Claim 7);
- the circuitry module including a dimmer (as recited in claims 7 and 16);
- a knob (as recited in claims 7 and 16);
- the knob being located on the rear section (as recited in claims 7 and 16);
- the knob being linked to the dimmer (as recited in claims 7 and 16);
- the knob controlling the brightness of the light source via the dimmer (as recited in claims 7 and 16);
- the knob being held against rotation by anti-rotation means in the rear housing (as recited in Claim 10);
- the knob being located within the end cap (as recited in Claim 16);

Art Unit: 2875

- a seal between the knob and the end cap (as recited in Claim 16);  
and
- the end cap being rotatable about the knob (as recited in Claim 16).

28. McDERMOTT discloses an illumination device having:

- **a housing (as recited in claims 7 and 16), Figure 7, reference number 34;**
- **a switch (as recited in Claim 7), Figure 7, reference number 35;**
- **a light source (as recited in claims 7 and 16), Figure 7, reference number 37;**
- **a circuitry module (as recited in claims 7 and 16), Figure 7, reference number 35;**
- **the circuitry module including a dimmer (as recited in claims 7 and 16), column 6, line 64;**
- **a knob (as recited in claims 7 and 16), as seen in Figure 7;**
- **the knob being located on a rear portion of the housing (as recited in claims 7 and 16), as seen in Figure 7;**
- **the knob being linked to the dimmer (as recited in claims 7 and 16), as evidenced by column 6, lines 30-32;**
- **the knob controlling the brightness of the light source via the dimmer (as recited in claims 7 and 16), as evidenced by column 6, lines 30-32; and**

- **the knob being held against rotation by anti-rotation means in the rear housing (as recited in Claim 10), inherent; and**
- **the knob being located within an end portion of the housing (as recited in Claim 16), as seen in Figure 7.**

29. It would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to include the knob actuated dimmer circuitry of McDERMOTT in the illumination device of MAGLICA to be able to adjust the intensity of the light source, as per the teachings of McDERMOTT. Such knob would have included sealing means between the knob and the end cap to maintain the housing water tight seal, as per the teachings of MAGLICA.

#### ***Relevant Prior Art***

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hopkins** (U.S. Pat. 1,591,627), **Ford** (U.S. Pat. 2,249,689), **Gelardin** (U.S. Pat. 2,249,689), **McCabe** (U.S. Pat. 2,435,689) and **Wen et al.** (U.K. Pat. App. 2,216,998) disclose flashlights having a housing, a light source and a power source. The power source is energized by rotating a housing front section with respect to a housing rear section.

**Osiecki et al.** (U.S. Pat. 5,422,798) and **Bieberstein** (U.S. Pat. RE38,014) disclose flashlights having non-conductive housings.

**Mallory** (U.S. Pat. 3,535,282), **Moore et al.** (U.S. Pat. 4,623,957), **Auer** (U.S. Pat. 4,875,147), **Skidmore et al.** (U.S. Pat. 6,394,630), **Avis** (U.S. Pat. 6,642,667) and **Wallach** (U.S. Pat. 6,736,531) disclose illumination devices having means to automatically turn OFF a light source after a pre-determined period of time.

**Yardeny** (U.S. Pat. 2,347,532), **Edelson** (U.S. Pat. 3,800,136), **Bruwer** (U.S. Pat. 6,249,089), **Brass et al.** (U.S. Pat. Pub. 2003/0123254) and **Kim et al.** (U.S. Pat. Pub. 2004/0140771) disclose illumination devices having means to dim the light source.

### ***Conclusion***

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (703) 872-9306.

Art Unit: 2875

32. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.

  
Inr

September 8, 2005

  
THOMAS M. SEMBER  
PRIMARY EXAMINER